

## United States District Court

SOUTHERNDISTRICT OF  
MCALLEN DIVISIONTEXAS

David J. Bradley, Clerk

UNITED STATES OF AMERICA  
V.

Marcelo Perez-Garcia A205 474 252	PRINCIPAL YOB: 1993	Mexico
Alejandro Rojas-Solis A202 123 148	CO-PRINCIPAL YOB: 1988	Mexico

## CRIMINAL COMPLAINT

Case Number:  
**M-14-2022-M**

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about

October 15, 2014 in Brooks County, in

the Southern District of Texas defendants(s) did,

*(Track Statutory Language of Offense)*

knowing or in reckless disregard of the fact that Elias Manuel Murcia-Bonilla, Oscar Arnulfo Hernandez-Alvarenga and Mario Alberto Zavala-Funez, citizens and nationals of Honduras and seven (7) other undocumented aliens for a total of ten (10) who had entered the United States in violation of law, did knowingly transport, or move or attempts to transport by foot said aliens in furtherance of such violation of law within the United States, that is, from a location near McAllen, Texas to the point of arrest near Encino, Texas.

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) **FELONY**

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On October 15, 2014, Border Patrol Agents apprehended a group of 12 subjects in the brush while they were attempting to circumvent the Falfurrias Border Patrol checkpoint. Agents determined that all 12 subjects were undocumented aliens illegally present in the United States. The subjects were placed under arrest and transported to the Border Patrol Station for processing.

Upon arrival at the McAllen Border Patrol Station, through interviews it was determined that Marcelo PEREZ-Garcia and Alejandro ROJAS-Solis were the brush guides of the group.

**SEE ATTACHED**

Continued on the attached sheet and made a part of this complaint:

 Yes  No
*Approved by**DJL**10/17/14*

Sworn to before me and subscribed in my presence,

October 17, 2014*8:52am*

Date

Peter E. Ormsby, U. S. Magistrate Judge  
Name and Title of Judicial Officerat McAllen, Texas

City and State

*Peter E. Ormsby*  
Signature of Judicial Officer

Signature of Complainant

Eduardo Cortez Senior Patrol Agent

Printed Name of Complainant

at McAllen, Texas

City and State

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS

ATTACHMENT TO CRIMINAL COMPLAINT:

M-14-2022-M

RE: Marcelo Perez-Garcia A205 474 252  
Alejandro Rojas-Solis A202 123 148

**CONTINUATION:**

**PRINCIPAL STATEMENTS:**

Marcelo PEREZ-Garcia and Alejandro ROJAS-Solis were both read their Miranda Rights by Border Patrol Agents. Both understood their rights and requested an attorney to be present during the interview.

**MATERIAL WITNESSES STATEMENTS:**

Once at the Border Patrol Station, all three of the material witnesses were advised of their Miranda Rights. All stated that they understood their rights and were willing to provide a statement without the presence of an attorney.

1-Elias Manuel MURCIA-Bonilla stated that he is a citizen and national of Honduras. A smuggler in Reynosa, Mexico charged him a total of \$2000 to get smuggled into the United States. Once in the U.S., he was picked up and transported to a stash house where he stayed for approximately 6 days. Both PEREZ and ROJAS were present at the stash house and would often come and go from the house. While at the stash house, the brush guides and their friends had a shot gun and a pistol. They actually shot the shotgun outside on one occasion. They only brandished the pistol inside the home but none of the harbored aliens were threatened. MURCIA stated that when he and the rest of the group were dropped off in the brush to circumvent the checkpoint, both PEREZ and ROJAS instructed the group to not use their phones. PEREZ was the only one that would use a cell phone. Both PEREZ and ROJAS would also instruct them to follow them and not let be seen by the helicopter and to drop down if Border Patrol would show up. PEREZ was aggressive with the group and threatened to beat them with a stick if they didn't listen. PEREZ threatened him by saying "If you can't keep up, I will leave you behind". The second brush guide, ROJAS was actually nice and told him that he would not leave him behind. MURCIA identified Marcelo PEREZ-Garcia and Alejandro ROJAS-Solis in a photo lineup as the brush guides of the group. MURCIA further stated that both PEREZ and ROJAS were wearing camouflage shirts with blue jeans.

2-Oscar HERNANDEZ-Alvarenga stated that he is a citizen and national of Honduras. He made smuggling arrangements with a smuggler and his mother was going to pay \$3,000 upon his arrival to Houston, Texas. Once in the United States, he was picked up and transported to a stash house where he stayed for one night. While at the stash house, PEREZ and ROJAS would come and go as they pleased. PEREZ and ROJAS would also instruct them no to ever leave their room. The following day, they got picked up and dropped off in the brush somewhere before the immigration checkpoint. Both PEREZ and ROJAS were wearing camouflage shirts with blue jeans. Both of them instructed the group to follow them and to run and hide if they observed the helicopter. PEREZ was the only one that was allowed to use a cell phone. PEREZ was verbally aggressive as well, he told him that he didn't care if he got left behind. HERNANDEZ identified Marcelo PEREZ-Garcia and Alejandro ROJAS-Solis in a photo lineup as the brush guides of the group.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS

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CONTINUATION:

3-Mario Alberto ZAVALA-Funez stated that he is a citizen and national of Honduras. He made smuggling arrangements with an unknown smuggler in Mexico and paid \$2,000 to be smuggled into the United States, with Houston, Texas being his final destination. Once in the U.S., he was picked up and transported to a stash house where he stayed for one day. PEREZ was one of the individuals in charge of the stash house. While at the stash house, PEREZ introduced himself as the brush guide of the group and he instructed everyone to follow his instructions. The following day they were picked up and transported north and dropped off. During the walk, PEREZ would instruct them when to eat and rest. PEREZ would tell the group to pick up the pace if not he was going to leave them behind. They walked for about 3 days and 2 nights prior to being apprehend by Border Patrol. ZAVALA identified Marcelo PEREZ-Garcia as the foot guide of the group.